

COMMISSION CONFERENCE**SEPTEMBER 6, 2000**

<u>Agenda Item</u>	<u>Page</u>
I-A Florida Department of Transportation (FDOT) – Project 15395 – Broward Boulevard Streetscape – U.S. 1 (Federal Highway) to West 7 th Avenue	6
I-B Junior League of Greater Fort Lauderdale – Playground for Holiday Park	7
I-C Proposal to Prohibit Admission of Individuals Under Twenty-One (21) Years of Age from Bars and Nightclubs that Serve Alcohol	1
I-D Code Section 8-156 and ULDR Section 47-19 – Marine Sight Tubes (Withdrawn)	8
I-E Broward County – Proposed Enhancement/Master Plan – Improvements for Sunrise Boulevard – I-95 to Searstown	8
I-F Emergency Room in the Barrier Island – Closing of Cleveland Clinic Hospital in the Galt Ocean Mile Area	12
I-G Ordinance No. C-00-35 – Dogs, Pets and Domesticated Animals on the Beach (See Regular Minutes)	15
III-B Advisory Board Vacancies (See Regular Minutes)	15
III-C Parker Theatre Board of Trustees Appointment (See Regular Minutes)	15
IV City Commission Reports:	
1. Design Seminar	15
2. Galt Ocean Mile Shuttle	15
3. Commuter Rail and Beach Preservation Meetings	15
4. Sexual Predators	16
V City Manager Reports:	
1. Wingate Sanitation Bonds	16

Present: Mayor Naugle
Commissioners Hutchinson, Katz, Moore (2:19) and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

It was the consensus of the Commission to take Item I-C out of order. Due to the number of individuals who wished to comment on the Item, the meeting was reconvened in the Commission Meeting Room at 2:17 P.M. At 2:19 P.M., Commissioner Moore arrived at the meeting.

**I-C – Proposal to Prohibit Admission of Individuals Under Twenty-One (21)
Years of Age from Bars and Nightclubs that Serve Alcohol**

A discussion was scheduled on a proposed ordinance to prohibit the admission of individuals under 21 years of age from bars and nightclubs that served alcohol. The City Manager advised that this item had been placed on the agenda at the request of Commissioner Katz during discussion of extended hours for establishments serving alcoholic beverages. At one point, the Commission had heard comment from various segments of the community relating to this particular provision, patterned after a similar ordinance in place in Miami Beach. He explained that today's discussion would relate to whether or not the Commission should revisit that particular concept and include it in the Code. Mayor Naugle noted that if the Commission decided to take that action, an ordinance would be drafted, and advertised public hearings would be held. Although a certain amount of public comment was desired, this was intended as an informal discussion as opposed to a public hearing.

The City Manager believed most of the Commissioners had received a number of faxes from various organizations, which supported consideration of this type of ordinance. He advised that these communications would be formally entered into the record at the time of public hearing should the Commission decide to take that direction.

Mr. Leo Gillespie, President of the Greater Fort Lauderdale Lodging & Hospitality Association, favored an ordinance just like that utilized in Miami Beach. He advised that there had been workshops held within the hospitality industry, and almost everyone supported such an ordinance. Mr. Gillespie wanted it to be clear that the hospitality industry was vehemently opposed to anyone under 21 drinking or participating in activities at establishments primarily serving alcohol. He felt tourism was the reason Fort Lauderdale was thriving, and monumental investments had been made in the beach area. Mr. Gillespie felt these new developments would be greatly hindered if certain behaviors continued on the beach.

Mr. Gillespie said the incidents on the beach had escalated tremendously since an ordinance had been adopted in Miami Beach. He advised that the kids loitering outside Club Atlantis overwhelmed people on the beach. Mr. Gillespie did not feel this fostered the family-oriented destination goals of the community, and it was a great hindrance to the economy.

Ms. Alysian Childs, President of the Central Beach Alliance, supported this ordinance because of the fear being experienced by many condominium residents in the area. She stated that residents of Leisure Beach and Leisure Beach South had experienced a lot of challenges associated with noise, vandalism, and other activities. Ms. Childs stated that people were afraid to go out at night, and people who lived and worked in the area were concerned about their personal safety.

Ms. Childs understood several Commissioners had visited the beach area lately, after hours, and experienced the situation. She asked that the Commission give serious consideration to an ordinance of this nature, and she asked residents who were present in support of this item to stand. Ms. Childs pointed out that many members had not been able to attend this meeting because it was held in the afternoon, but there were still a lot of people present who were concerned.

Mr. Fred Taylor, Chair of the Beach Council of the Greater Fort Lauderdale Chamber of Commerce, was in favor of keeping under-aged people out of nightclubs. While he understood these individuals needed something to do and someplace to go, he did not feel that going to nightclubs where alcohol was served was in their best interests. Mr. Taylor supported this ordinance to keep children out of nightclubs, and he noted that many of the Beach Council members owned and operated bars, nightclubs and restaurants throughout the beach area. He asked individuals who owned businesses on the beach to stand in order to demonstrate support for this ordinance. Mr. Taylor said he had owned a small hotel on the beach for 20 years, and he had been active in civic activities for 15 years. However, he had never seen so many people in the beach area working together to address a single issue.

Ms. Linda Gill, Gill Hotels, advised that her company had been operating the Sheraton Yankee Clipper and Sheraton Yankee Trader Hotels for 44 years and had worked with the City throughout those years. She was also a resident with a teenage daughter, so she was familiar with the issues. However, her hotel guests were not at all comfortable walking along A-1-A or going to the nightclubs on the beach, and she supported an ordinance prohibiting admission of people under 21 years of age into bars. As a mother, Ms. Gill certainly did not want her daughter going into bars, knowing what went on, and she urged the Commission's strong support of an ordinance.

Mr. Joe Hessmann referred to a newspaper article from 1985 about the many complaints arising from Spring Break activities. In order to address the problems at the time, a halfway house for runaways had been provided on the beach, along with parking prohibitions and a fence down A-1-A. In addition, a local disc jockey had been jailed. Mr. Hessmann felt it was long past time to take back the beach. He did not think teenagers under 21 should be allowed in nightclubs at all in any location, particularly until 4:00 A.M. Mr. Hessmann thought a "monster" had been created in the middle of the beach.

Mr. Hessmann stated that cars had been vandalized, and beer bottles had been thrown through condominium windows in the middle of the night. There had been gang fights outside his residence, and there had been 2 stabbings in the past month. He stated that people living in the area were awakened at 2:00 or 3:00 A.M. by screaming, cursing, engines racing, fighting, bottles breaking, etc. Mr. Hessmann advised that a recent police action stopping cars at the end of Las Olas Boulevard had been a step in the right direction, and he hoped similar action would be taken at the end of the 17th Street Causeway, which was used a great deal by people from out of town.

Mr. Hessmann understood Commissioner Moore objected to “thong booty” contests, and he did not blame him. He also understood Commissioners Hutchinson and Katz were in a difficult position, but their concerns were well merited. Mr. Hessmann stated that there was a “new kid on the block” who cared nothing about rules and regulations. He felt that when customers stepped out of a bar with an open container, they should be arrested. Mr. Hessmann thought the only way this problem could be solved was by harming people’s pocketbooks when they broke the rules. He did not think any more laws would help.

Mr. Skip Murray, of the Chili Pepper Nightclub, stated that he had always supported Fort Lauderdale and its community organizations, and his nightclub was one of the most respected live-entertainment venues in the country. He advised that his club had not earned this reputation by encouraging out of control behavior, and he did not think the City should destroy good, successful neighbors because of a few “bad apples.” Mr. Murray said that when this issue had been tabled, the Chili Pepper had actually tightened up on such issues as dress codes and behavior deemed unfit. He did not feel it was fair that he should be held accountable for the behavior of his competition, and he challenged anyone to question his business ethics. Mr. Murray stated that the only reason anyone came to Olde Town after 10:00 P.M. was to visit one of the clubs, and that was one of the elements that had made Fort Lauderdale a tourist destination.

Mr. Murray thought it would be a crime to turn Fort Lauderdale into a “faceless, condo/hotel, early bird special.” He said he could not help overhearing a representative of the Hotel Association indicating he would not be happy until every nightclub had been run out of town. Mr. Murray did not feel he deserved this wrath. He catered to an 18- to 30-year old aged group, and brought national acts to Fort Lauderdale, which would never come otherwise. Mr. Murray reported that there had been 55 police calls to his establishment in a 6-month period, which was fewer incidents than occurred at clubs a quarter of the size of the Chili Pepper. He felt the City should penalize the troublemakers without hurting his business. Mr. Murray stated that if this ordinance were adopted, he would not have another national act in his venue. In that case, he thought the City might as well bulldoze the building and eliminate an operation that gave life and character to the entire area.

Ms. Lauren Hunt said she was 17 years old and speaking on behalf of those who could not leave school at this time of day. She recalled that Commissioners Hutchinson and Moore had seemed to be on the side of youth when this subject had last been discussed, and she wondered if the City planned to provide alternative activities for those under aged 21. Ms. Hunt believed the problems at the beach were due to younger kids who could not get inside Club Atlantis, and this would only force those aged 18 to 21 outside as well. She thought there would be even more problems then, and these clubs were a big part of her life and the lives of her friends.

Ms. Hunt wondered if a compromise position was possible, perhaps by not allowing 18- to 21-year-olds to stay at a club beyond a certain hour. She stated that the Culture Club, the Metal Factory and the Chili Pepper were clubs that allowed all ages to enjoy national acts and local bands. Ms. Hunt hoped the Commission would not take that away from young people, leaving them with nowhere to go.

Mr. Grant Hall said he was speaking on behalf of legitimate live music events, which catered to fans of all ages. He advised that he had been promoting concerts in South Florida for 5 years, and he had never promoted a show on the beach side of Fort Lauderdale. Mr. Hall explained he worked out deals to promote national bands in venues with a capacity of 150 to 1,000, and most of the bands he promoted demanded that their shows be open to all ages, as did most national touring acts that played the larger venues. He understood the City had an interest in promoting an environment that was tourist-friendly, particularly along the beach, and he supported that effort. However, he believed this ordinance would have far-reaching effects that would seriously hamper his ability to bring national acts to South Florida.

Mr. Hall advised that almost exclusively, the only buildings feasible for rock and roll shows were nightclubs. Usually, events were promoted early and ended at 10:30 or 11:00 P.M. The club would then do its usual business afterwards. Mr. Hall explained that these types of clubs typically did not do a great deal of business before 11:00 P.M. anyway, and the shows could sustain the whole night. He advised that bands typically received half of the door charge, and people under 21 years of age did not drink, so he had to pay rent to the club. After other costs, his bottom line was extremely tight, and use of a building exclusively for an event such as a VFW Hall, made most of the shows cost prohibitive. Mr. Hall stated that people under 18 attended the shows to see their favorite bands, buy souvenirs, dance, socialize and have fun, and getting drunk was usually the last thing on their minds in this type of strictly supervised environment. He hoped the City would not eliminate this venue for live music.

Mr. Ray Doumar, Attorney, stated that Chapter 562.48, Florida Statutes, went into great deal about the age of those who could enter nightclubs. It indicated that no one under the age of 18 could patronize a business or loiter, in any dance hall or place of business unless one or both of his or her parents or natural guardians attend such minor. Therefore, businesses would be guilty of a misdemeanor if they allowed someone in who was under 18 years of age. Mr. Doumar understood Miami Beach had a similar ordinance, and the Division of Beverages had been preempted in the areas of zoning and health. He did not feel this was a zoning matter, but an age matter, and it was not a health matter either. Therefore, Mr. Doumar believed there was a direct conflict between this ordinance and the State Statute, and it was flawed.

Mr. George Platt said he owned a condominium in Americas on the Park, and he represented some people on the beach and had been involved in the original drafting of the Special Entertainment District Overlay ordinance. He agreed that kids under 18 years of age was a great concern because they were clearly not inside any of these clubs – they were on the street. Much of the time, that was the greatest problem, and Mr. Platt felt that dealing with that issue was something the City would have to do with or without this ordinance.

Mr. Platt believed the City had a curfew that applied to kids of 16 and younger, and he wondered if that should be extended to teenagers under 18 years of age. He thought the hours these kids should be out on the streets were a legitimate concern throughout the community. Mr. Platt acknowledged that there was not much for these kids to do except congregate with their friends, but something had to be done to address teenagers. He recalled a time when dances were held, but those kinds of activities did not seem to appeal to today's teenagers, and there were not enough of those activities anyway.

Mr. Platt encouraged the Commission to do a systematic study of the incident reports over the past 18 months and into the future to determine what the real problems were. He did not believe 18- to 21-year-olds were a problem inside the clubs, and no bar owner would want to serve alcohol to anyone under age because it would be grounds for immediate loss of his license. Mr. Platt thought the Police Department did a good job of gathering these types of statistics, and he hoped the Commission would also consider extending the curfew to a higher age. He also hoped everyone remembered that the City had a unilateral right to dictate the level of security in the Entertainment Overlay Districts.

Mayor Naugle said he had recently visited the beach area late at night, and he had been convinced that this ordinance would be a good idea. He said some of the activities that were going on inside the establishments, such as nudity, had reminded him of the City's Spring Break days. Mayor Naugle felt this should be brought under control in a hurry, and he was willing to hold two public hearings to obtain public comment on an ordinance. He said that he had received the impression that most of the kids out at the beach were from areas outside of Fort Lauderdale, and kids were being attracted from all over the State. Mayor Naugle acknowledged that the City had a responsibility for its own youth, but he felt other communities should provide activities for their youth as well.

Commissioner Smith agreed with Mayor Naugle. He reported that he had visited the beach last Saturday at 3:00 A.M., and he had been very disturbed by what he had seen. Commissioner Smith said he had been rather offended by the whole scene, and the excessive police presence necessary to keep the area safe had looked like an "armed insurrection." He did not feel this was the image everyone was trying to create on the beach, but it had become necessary in response to the Club Atlantis. Commissioner Smith was sure the change in the area was completely associated with Club Atlantis. He stated that there had been assaults, larcenies, rapes, etc., and this was not the type of atmosphere people had been working so hard to create on the beach. Commissioner Smith felt this ordinance would be a first step, and he agreed with Mr. Platt that there was a larger issue in terms of the children who lived in this community.

Commissioner Smith believed Commissioner Moore had suggested doing something at the War Memorial Auditorium for youth, and he acknowledged that there were more responsible clubs than Club Atlantis, such as the Chili Pepper. He was not certain, however, that music venues had to serve liquor. Commissioner Smith agreed young kids liked to hear the music and see the national acts, and he thought clubs could make a go of it without serving liquor. He did not think the City could continue to dedicate tremendous resources to a single area in order to maintain safety. Commissioner Smith thought it was up to the Commission to take steps to correct the atrocious behavior he had witnessed on the beach, starting with this ordinance.

Commissioner Katz said her concern was twofold. She stated that although some people had indicated there were not people under 18 years of age in these clubs, she begged to differ. She believed there were 14- and 15-year-olds going into the clubs. Although they were not being served drinks by the bartenders, that did not mean their of-age friends were not purchasing drinks for them. She felt this ordinance should probably go forward after all.

Commissioner Moore had no objection to holding public hearings on an ordinance, but he thought the individual who owned the Club Atlantis property should be dealing with these issues. He pointed out that landlords were being asked to do background checks on prospective tenants, and he felt property owners should investigate those to whom they leased property. Commissioner Moore did not think Fort Lauderdale needed businesses that operated solely for payment, and the business community needed to police itself.

Commissioner Moore agreed one important issue was finding alternate activities for young teens. He felt the City needed to offer an alternative to these youth in terms of recreational activities. Commissioner Moore pointed out that there were at least 2 venues in Fort Lauderdale that could be used for the types of acts mentioned earlier by Mr. Hall, and he thought promoters should have opportunities to bid on use of these venues. He noted that the beach was open to everyone, and he did not know what government could do to keep kids off the beach. Unless there were alternative activities provided, Commissioner Moore believed this problem would continue. He noted that he had not been a proponent of the teen curfew, but since the law was on the books, he thought it should be enforced. Commissioner Moore had no objection to public hearings on the proposed ordinance.

Commissioner Hutchinson agreed with the rest of the Commission, and she agreed with Mr. Platt that it was necessary to address much more than just those under 21 years of age. She encouraged Mr. Hall to meet with the City's Parks & Recreation Department about using different venues for clean, alcohol-free concerts for kids. Commissioner Hutchinson said she had also visited the beach, and she had been appalled, offended, scared and nervous. She thought the "wrong stuff" was being promoted on the beach, and she encouraged the Commission to go forward with public hearings on an ordinance.

Action: Public hearings to be scheduled for September 19 and October 3, 2000.

At 3:00 P.M., the meeting was recessed. It was reconvened in the Commission Conference Room at 3:07 P.M.

**I-A – Florida Department of Transportation (FDOT) – Project 15395 –
Broward Boulevard Streetscape – U.S. 1 (Federal Highway) to West 7th Avenue**

A presentation was scheduled by the FDOT regarding its plans to resurface Broward Boulevard from U.S. 1 (Federal Highway) to West 7th Avenue. Mr. Pete Sheridan, Assistant City Engineer, introduced *Mr. Roderick Myrick*, Project Engineer for the FDOT.

Mr. Myrick reported that the FDOT had rescheduled this project to commence after the Southeast 3rd Avenue bridge repair was completed, at the request of the City. It was his understanding that the bridgework would be completed at the end of November, and this project would take about 9 months. He noted that an incentive had been included in the contract, so he was hopeful the contractor would expedite the project as much as possible. Mr. Myrick stated that there were aesthetic features being added to the project, such as brick pavers, which would also disrupt traffic, but the FDOT would do the best possible job.

Mayor Naugle asked if there were any renderings available. He was particularly concerned about the west side of the intersection at Federal Highway and Broward Boulevard. He felt the turn lane should be decreased in size, or eliminated altogether, because it made it extremely difficult for pedestrians to cross the road. Commissioner Smith understood mid-block pedestrian crosswalks were proposed. Mayor Naugle agreed that could help, but there was little reason for the right turn lane, and the road was much wider than necessary. Mr. Sheridan advised that staff was exploring that idea on the west side of U.S. 1, although it was not part of this project.

Mayor Naugle wanted the name of the FDOT staffer who had denied the request in case there was an accident. Mr. Myrick noted that a signalized crosswalk was proposed at Southeast 1st Avenue and Broward Boulevard. Commissioner Smith thought the timing of most road projects was unfortunate because the work always seemed to be done during the tourist season. Mr. Sheridan agreed that the duration of road projects often caused them to extend into the busy season. Mayor Naugle felt the season was pretty much year round nowadays, and there was too much rain during the summer months.

Commissioner Moore inquired about the beautification project on Broward Boulevard, from State Road 7 to 11th Avenue. Mr. Peter Partington, Public Services Department, advised this was a County project, and he introduced *Ms. Nancy Harrington*, of Broward County. Ms. Harrington stated that the County had to rebid the project due to a change in the scope of the work, but an item in this regard would be considered by the County Commission on September 19, 2000. In addition, Mr. Bernie Kemp, who was heading the Broward Boulevard Revitalization committee, would be appearing before the County Commission on the same date. Commissioner Moore noted that if the County Commission heard those items at a time certain prior to 2:00 P.M., the City Commissioners could attend the meeting before their own Commission meeting.

It was Mr. Sheridan's understanding that the subject project would commence on November 13, 2000, and the construction was scheduled to take 272 days.

Action: Approved.

I-B – Junior League of Greater Fort Lauderdale – Playground for Holiday Park

A presentation was scheduled by the Junior League of Greater Fort Lauderdale regarding its fund-raising commitment to provide a new, signature playground at Holiday Park. Mr. Tom Tapp, Director of Parks & Recreation, introduced *Ms. Caryl Hippler*, President of the Junior League. He believed this was one of the most exciting partnerships ever formed between the City and a community organization, and he was enthusiastic about this project.

Ms. Hippler distributed a package of materials and described the purpose of the Junior League. She introduced *Ms. Laura Hatfield*, who was chairing this project, along with several other members of the Junior League who were present to answer questions. Ms. Hatfield displayed the vision for the 1.2-acre signature playground, which was being called the Junior League Play Station. She described some of the features proposed in conjunction with the train and noted that the intent was to make it an educational nature experience as well as a fun experience.

Mayor Naugle understood the Junior League would be raising funds within the community. Ms. Hatfield agreed that was correct, and some type of promotion involving names in the sidewalk was proposed. Mr. Tapp stated that the City was going to go ahead and build the playground with funds remaining in the Bond Program, and the Junior League had pledged \$200,000 over the next 4 years to reimburse the City for the playground. Those funds could then be used to do further improvements to Holiday Park. He advised that the playground would probably cost close to \$250,000, and it would be a signature playground. Mr. Tapp said that staff recommended that the Junior League be permitted to name the playground for the organization, and he was pleased with this exceptional partnership.

Commissioner Moore wondered what would happen if the Junior League failed to raise the \$250,000. Ms. Hippler stated that the Junior League would do it. Mr. Tapp advised that the playground would still be built, but the Junior League had always done a great job of fulfilling its goals. He noted that others in the community had offered assistance, but he was confident the Junior League would succeed in its efforts.

Mayor Naugle understood people could make donations by calling 462-1350. Commissioner Moore suggested that the Junior League contact Ms. Jacqui Hammond, who was in the process of writing grants for the City's "Safety Town."

Commissioner Smith asked if there were any concerns relating to maintenance of the playground. Mr. Tapp advised that playgrounds typically lasted about 10 years, and an annual maintenance fund had been set up within the Capital Improvements Program (CIP).

Action: Approved.

I-D – Code Section 8-156 and ULDR Section 47-19 – Marine Sight Tubes

This item was **withdrawn** from the agenda.

I-E – Broward County – Proposed Enhancement/Master Plan – Improvements for Sunrise Boulevard – I-95 to Searstown

A presentation was scheduled by Ed Stone Associates (EDSA) on behalf of Broward County regarding a master plan for future landscape/streetscape improvements on Sunrise Boulevard (I-95 to Searstown). Mr. Peter Partington, Public Services Department, recalled that a presentation had been made to the Commission on July 6, 2000 with regard to the safety improvement project to be undertaken by the FDOT on Sunrise Boulevard. He introduced *Ms. Nancy Harrington*, of Broward County, who explained that the County had contracted with EDSA to prepare a conceptual master plan for Sunrise Boulevard, from I-95 to the Gateway Cinema.

Mr. Paul Kissinger, EDSA, stated that the FDOT Safety Project affected the area from I-95 to just west of Searstown, and that was the area in which most of the median improvements would occur. He noted that a previous Safety Project had been done from Searstown eastward, and this project's limits extended from "back of sidewalk" to "back of sidewalk." Due to the width of the roadway, there was not a lot of space for landscaping at the sides of the road, but there were opportunities for enhancement within the roadway corridor itself. Mr. Kissinger noted there were opportunities for public/private partnerships for bus shelters and site furnishings, and a pedestrian bridge had been suggested during the conceptual design phase. He advised that these issues had to be studied further since they would take more property and exceed the scope of the study.

Mr. Kissinger displayed drawings and stated that intersections and neighborhood entrances had been identified with public input. He described the design process, which had involved a selection committee, a public meeting and a workshop to come up with design elements. At this point, these elements had not been designed to precise specifications because there were various alternatives, but some consensus had been reached as to what elements might be appropriate. Those included gateways, intersection and median treatments, and utility poles.

Mayor Naugle referred to the Oak trees that had been planted east of Searstown. He felt they added a great deal to the appearance of the area, and he thought more oak trees in areas where space for landscaping was minimal would make a tremendous difference. Mr. Kissinger said there was a desire for conformity along the corridor, whether that called for Oak trees or Sabal Palms. He thought it was important to note that there were very few places where these trees could be accommodated primarily because of buses. Mayor Naugle wondered who had made that indication, and Mr. Kissinger replied that Jim Scully was the Project Manager for the FDOT Safety Project.

Mr. Kissinger stated that neighborhoods desired pedestrian fixtures, but they were expensive, and the budget was limited. Therefore, other ideas for light fixtures were being examined, and they would be presented at the next public meeting. Mr. Kissinger referred to traffic separators, known as "blue noodles," that provided a curved, linear element with various colors. They worked as a safety element to prevent crossing. He stated that the FDOT had considered placing a chain link fence along the traffic median to address safety in terms of mid-block crossings, but that idea had been discarded because the FDOT had been receptive to the "blue noodles."

Mr. Kissinger advised that a "cabana" style was being considered for bus shelters to bring the elements of the beach, sunrise and sunset to Sunrise Boulevard. Commissioner Smith understood there might be some separate funding opportunities for the bus shelters. Mr. Kissinger agreed it was a possibility, and EDSA was examining all the possibilities. He added that there were also City gateway possibilities, and the FDOT had been receptive to creation of gateways on the existing signage structures.

Mr. Kissinger stated that a public meeting was scheduled for September 28, 2000, and he invited everyone who was interested to attend. It was going to be held at the City Library on Sunrise Boulevard at 7:00 P.M. He noted that this process was at the very conceptual stage, and part of EDSA's task was to determine how much the plan would cost. Mr. Kissinger believed, at this point, that the cost would be between \$6 million and \$8 million.

Mr. Kissinger said he had not brought drawings with him today of the pedestrian bridge the neighborhood desired from the Elementary School and the Park that was east of I-95, but that would also increase the price. He stated that the design elements would be examined once again at the September 28, 2000 public meeting, and efforts would be made to prioritize the items for implementation as funding became available. At this time, there was \$500,000 available, and there was a cost potential of \$6 million to \$8 million.

Mr. Bob Webster, 1436 Northwest 2nd Avenue, said he had been asked by a local artist, Diane Gridley, to present an idea for the bridge. She was suggesting the use of flat steel because it was economical in order to create strong, attractive structures. Mr. Webster displayed a drawing of a possible pedestrian bridge with a wave theme. Mr. Kissinger was pleased to receive the drawing and agreed to pass it on to the artist working with his firm. Commissioner Smith inquired about the cost of a pedestrian bridge. Mayor Naugle thought it would cost about \$1 million. Mr. Kissinger thought it could cost \$1 million to \$2 million because there was a long span and some ornamentation, and it might be necessary to acquire additional right-of-way.

Mayor Naugle inquired about funding from the Metropolitan Planning Organization (MPO). Mr. Partington stated that enhancement money had been allocated for Sunrise Boulevard, so when enhancement to the FDOT Safety Project was discussed, the State felt that would be funded by the enhancement money. However, it would be necessary to start lobbying for additional monies although the source could not be identified at this time. Mr. Kissinger stated that the FDOT's project contained no landscaping except sod repair, and existing trees would remain. Therefore, very little was planned in terms of aesthetics, although the FDOT was considering inclusion of electrical conduit and pull boxes for future pedestrian lighting.

Commissioner Smith felt Sunrise Boulevard was special because it ran all the way from out west to the Ocean. It was also the most heavily traveled street in Fort Lauderdale. He felt the County should be approached for funding since so many people visited the beach and parked for free.

Commissioner Moore thought this was nice, but he was displeased because the FDOT was apparently willing to contribute \$500,000 for this project while denying a request for \$1 million for Carter Park and refusing to meet with the community. Commissioner Smith felt there was a difference between the requests because the Carter Park project related to internal Park improvements. This, however, was on the City's main thoroughfare. Mr. Kissinger noted that the County had paid EDSA to conduct the public meetings.

Commissioner Moore referred to the area east of I-95. Mr. Kissinger stated that the Safety Project included median changes, maintaining existing landscaping, and eliminating some right and left turn movements. Commissioner Smith understood pavers would be utilized, and Mr. Kissinger agreed that was correct. He stated that the enhancement project would suggest more landscaping, entrances into neighborhoods, and a gateway at I-95. The neighborhood also desired a pedestrian bridge somewhere in this area.

Commissioner Moore thought it was somewhat crazy that elementary school children had to cross Sunrise Boulevard to go to school, and there were 2 elementary schools on the north side of the street. He did not think there was any reason for children to cross Sunrise Boulevard to the north side when there were other schools on the south side. Therefore, there was no reason for crosswalks either.

Commissioner Moore recalled the proposal displayed a year ago included diverting traffic from 16th Avenue next to Carter Park. He asked if that was still proposed. Mr. Partington said that a quick look at the plans indicated no substantial changes to the median in that area. There was a widening of 16th Avenue and the intersection with Sunrise Boulevard, however. Mr. Kissinger believed the FDOT had proposed those modifications at 16th Avenue because of concerns about accessibility into Carter Park, but left turn movements down 16th Avenue would still be permitted. Commissioner Moore understood there would be no left turn movements from Sunrise Boulevard, heading west, on 17th Avenue. Mr. Kissinger agreed that was correct. Commissioner Moore also understood that 15th Avenue would not be used as an entrance to the Park, and Mr. Kissinger agreed that was correct as well.

Commissioner Moore did not think there was any safety provision for pedestrians at midblock. Mr. Kissinger agreed that was correct and advised that the FDOT was trying to discourage midblock crossings. Mayor Naugle thought one problem with overpasses that people did not use them because it took much time to climb up, cross and climb down on the other side. Commissioner Moore referred to the intersection at 9th Avenue. He asked if there would be a signalized left turn lane in that location. Mr. Kissinger stated that all turning motions could be used at 9th Avenue, but he did not know if there was a turn arrow. Mr. Partington said staff could follow up with the FDOT and request a signal arrow. He advised that the FDOT had turned down this request in the past, possibly due to the "crash history" of the intersection, but staff could make the request again. Commissioner Moore felt it was a necessity.

Commissioner Smith agreed a great project with Countywide implications had been designed, but there was no way to fund it. He wondered how the County could be convinced to help, and Mayor Naugle suggested an assessment on all the taxpayers, including County and State. He pointed out that 90% of the cost of the Galt Ocean Mile project had been covered by voluntary assessment of taxpayers, and he did not think 20% of the cost was a great deal. Commissioner Smith pointed out that this was a major arterial used by everyone in the County, while the Galt Ocean Mile was not. Mayor Naugle agreed that was the reason why the taxpayers should only cover 20% of the cost rather than 90%.

Commissioner Moore was glad that talented individuals were overseeing these enhancements, but implementation would require a two-pronged approach through the MPO and perhaps through the 20% assessment approach mentioned by Mayor Naugle. He was also sure that Broward County was aware that tourism was extremely important and that Sunrise Boulevard was the entranceway to the beach from throughout the County. Commissioner Smith did not think it would be a good idea to force this project higher on the MPO unfunded list because there were numerous cities seeking those funds, and only 2 projects per year could be requested. He felt it was time to move outside that source, perhaps from the County and the State. Mr. Partington thought the State would be a more likely contributor than the County.

Commissioner Moore suggested an invitation be extended to the County District Commissioner and to State Senator Mandy Dawson to a meeting in this regard. Commissioner Katz had been told that the City should not count on the State to "cherry pick" projects for funding, and single-item projects were not considered favorably. Nevertheless, she felt the effort should be made, but she was not very hopeful. Commissioner Smith did not think there was much chance of funding through the Legislature, but he thought the FDOT might have some money in the roadway budget. Mayor Naugle believed it would be necessary to increase lobbying efforts if something like this was going to be attempted.

Commissioner Moore asked if the 7th/9th Avenue Connector Project could be included in the implementation of this design, at least at the intersections with Sunrise Boulevard. Commissioner Smith inquired about the wall for the junkyard on Sunrise Boulevard at I-95. He thought it would be a good idea to encourage a community project to paint a mural on that wall, although it would be a huge undertaking requiring participation by all of the Commissioners.

Commissioner Moore said he had spoken to the owner of the junkyard today, and he had no objection to a community project. However, there were two sections of the wall over a street that had never been vacated. The owner wanted the street vacated, but the Durrs Homeowners' Association might have a lot to say about it. Commissioner Moore advised that the property owner was willing to put money on the table, but there had been concerns about more junk being assembled in the vacated area. Mayor Naugle felt there should be a hotel in this location. Commissioner Moore advised there had been discussions in that regard, but the owner had assembled a lot of property, and it might be best to negotiate with one person rather than several. In the meantime, he was hopeful that something could be worked out to vacate the street with some assurance that more junk would not be stored in the vacated area.

Commissioner Smith said he would approach the artistic community to see if it would be willing to undertake such a large project. Mr. Kissinger advised that the Broward County Cultural Affairs Department had some money that might be available, and he was sure something could be done to dress up that wall. Commissioner Moore hoped that continuing maintenance of an artwork would be considered in the process.

Commissioner Smith suggested that the City Manager approach the FDOT District Secretary to see if monies were available for this project. Mayor Naugle asked the City Manager to develop a funding strategy involving various sources, including the County, State and federal governments. Commissioner Hutchinson hoped that whatever plan was developed could be applied to other streets in the City.

Action: Approved as discussed.

**I-F – Emergency Room in the Barrier Island – Closing of
Cleveland Clinic Hospital in the Galt Ocean Mile Area**

A discussion was scheduled on the status of the proposed closure of the Cleveland Clinic Hospital in the Galt Ocean Mile area. The City Manager recalled that the Commission had asked staff to keep track of this issue over the summer, and he introduced Mr. Don DiPetrillo, Assistant to the Fire Chief, to provide a status report.

Mr. DiPetrillo stated that the Cleveland Clinic proposed to close on or about July 1, 2001. Community groups from the barrier island, State health care officials, and various government officials also had an interest in the issue, along with several hospitals and clinics.

At 4:17 P.M., Commissioner Moore left the meeting. He returned at 4:20 P.M.

Mr. DiPetrillo explained that the Cleveland Clinic had a small facility on the beach, containing about 70 beds. However, in order to provide cost effective services, the Cleveland Clinic planned to move to a larger facility, and the situation had come to the City's attention in early January. He advised that the Imperial Point Hospital would lose approximately 13,000 patients per year who went through the Cleveland Clinic emergency room, and another 10,000 patients per year who went through the Cleveland Clinic for in-patient services. Mr. DiPetrillo stated that those patients would have to move out to the new facility in Weston and other locations, and Holy Cross and North Ridge Hospitals would pick up some of the slack.

Mr. DiPetrillo stated that the basic question now related to the impact on City EMS services. He advised that approximately 1,500 patients per year would have to be transported to other facilities, or another 800 hours of down time when EMS units would not be on the barrier island. He noted that staff would be examining the impact of that on Citywide services over the next months.

Mr. DiPetrillo reported that various alternatives had been considered, including possible alternative uses of the Cleveland Clinic site. He thought the best solution would be to bring in a full-service hospital, or a freestanding emergency facility. Another suggestion had been to bring in an urgent care facility, which handled emergencies up to the severity of broken bones, but it would not handle more serious emergencies such as heart attacks or strokes.

Mr. DiPetrillo stated that another question involved possible action that could be taken by local officials at this point to address the issue. He advised that there had been meetings held in the area by various local, State and federal officials to explore various alternatives. To date, no solid recommendation had been developed, however. He noted that emergency facilities at Holy Cross and North Ridge Hospitals had been expanded, and there had been discussions about using helicopters or ferries to manage complications in transporting patients from the barrier island.

Mr. DiPetrillo advised that there had been some indications that the site itself was not for sale at this point, which was a complication in terms of future use of the site. The building was also old, and it would have to be examined from the perspective of updates necessary to accommodate future operators. Mr. DiPetrillo thought the political process might be used to extend the Certificate of Need from the present provider to a future provider of some other type of medical service. In addition, there was a shortage of doctors available who were willing to commit the kind of time required for an emergency facility, so that was another obstacle to overcome. Mr. DiPetrillo was hopeful that some recommendations could be made to the City Manager within the next month, but he did not expect any provider to be ready to open another type of facility by the July 1, 2001 date.

Mayor Naugle asked about the area currently being served by the Cleveland Clinic. Mr. DiPetrillo believed the majority of patients transported to the facility were from the area bounded by Las Olas Boulevard to the South Beach area. Mayor Naugle asked if the North Broward Hospital District (NBHD) had any interest in opening a facility in this location. *Ms. Charlotte Mather*, Director of Governmental Relations, NBHD, did not believe this was a profitable location, but the NBHD was open to the idea of working together with the City. She stated that the NBHD was currently experiencing a funding shortfall and could not afford to keep operating in this location. Nevertheless, the NBHD was interested in examining any options.

Mayor Naugle stated there was a definite need in this area, and he wondered if the City Manager could work with the City Manager of Lauderdale-by-the-Sea to find out how much the service area brought into the NBHD through ad valorem taxes. He pointed out that a Beach Hospital District could be created and taxes currently paid into the NBHD could be diverted to the new district to better meet the needs of the barrier island. Mayor Naugle understood that would take some legislative changes, but he felt the idea should be explored because he thought the area contributed a lot of tax money and was not being served. The City Manager agreed he could look into this idea, but he believed the funding complexities involved more than just emergency services.

Commissioner Katz believed there was a possibility that the State might help with funding for “rural” emergency rooms. Although this was not a rural area, it had its own unique geographical problems. If some help from the State was forthcoming, any hospital might be in a better position to reconsider the issues. She felt every avenue should be pursued because the City could end up spending \$500,000 on additional ambulances to serve the population. Commissioner Smith agreed the State did subsidize rural hospitals because it was so difficult to serve these populations, and the same difficulties applied to the barrier island.

Commissioner Moore felt an urgent care facility should be examined to stabilize patients until they could be transported to a trauma center. Commissioner Smith agreed the greatest problem was an elderly population with no hospital nearby to handle heart attacks and strokes except on the other side of a bridge, but an urgent care facility could not do anything for those patients. Ms. Mather advised that an urgent care facility could stabilize those patients. She explained that there was a great difference in cost between urgent care facilities and emergency rooms, at \$50 a visit for an urgent care facility and \$350 for an emergency room visit.

Ms. Lu Deaner, 3025 Northeast 22nd Street, inquired about the window of opportunity for dealing with cardiac arrest patients. Mr. DiPetrillo replied that EMS tried to respond within 6 minutes of a call. Stabilization and transportation to an emergency facility could take from 10 to 30 minutes, depending on actions necessary before leaving the scene. He noted that a bridge opening could cause a delay in transport of 10 to 15 minutes. Mr. DiPetrillo stated that an urgent care facility could take care of about 75% of what ailed people these days, but those were not the patients that caused the concern anyway since they would survive those types of maladies. He noted that there were also laws regulating the types of cases that could be taken to the different types of facilities. Commissioner Moore pointed out that it was not an “all or nothing” situation. He noted that no one wanted to provide an emergency care facility, but at least some service could be provided through an urgent care facility. Ms. Deaner relayed a true story involving her husband, who had been revived twice at the Cleveland Clinic during an emergency, and he had lived for another 3 years.

At 4:41 P.M., Commissioner Moore left the meeting.

Mr. Gary Sieger, North Beach Island Alliance, hoped that those who were not interested in providing services in this location would not stop anyone who was interested in “stepping up to the plate.” This was a public health care issue, and if any provider came forward, the community would hope the other hospitals would support the effort. He stated that everyone on the barrier island acknowledged the excellent EMS services they were provided, but they were concerned about the strain that would be put on EMS personnel when the Cleveland Clinic closed. Commissioner Smith wondered if the NBHD would stand in the way of another provider. Ms. Mather said she could not answer that question now, but she would find an answer.

Mr. Mark Harritan said that he had visited the 7th Avenue Urgent Care facility, and it seemed to provide everything except urgent care. In fact, he thought the name could be dangerous because it might lead people to believe they could get help if they were suffering a heart attack.

Action: Staff to explore alternatives and options as discussed.

I-G – Ordinance No. C-00-35 – Dogs, Pets and Domesticated Animals on the Beach

A discussion was scheduled on a proposal to amend Ordinance No. C-00-35 to allow animals other than dogs in the beach area.

Action: Please see Regular Minutes, this date.

III-B – Advisory Board Vacancies

Action: Please see Regular Minutes, this date.

III-C – Parker Theatre Board of Trustees Appointment

Action: Please see Regular Minutes, this date.

At 4:52 P.M., the meeting was recessed for a closed-door session regarding settlement negotiations and strategy in connection with Maria Stack v City of Fort Lauderdale (Workers Compensation File No. WC-96-8858), and for the purpose of discussing labor negotiations. It was reconvened at 9:17 P.M.

IV – City Commission Reports

1. Design Seminar

Commissioner Katz reported that the Design Seminar had been rescheduled for November 2, 2000, and two speakers were coming from Canada and Washington, D.C. The Seminar would be held at the Broward Center for the Performing Arts with the cooperation of Florida Atlantic University and the American Institute of Architects. She advised that City staff members, advisory board members, developers and architects would be participating. Mayor Naugle hoped Community Appearance Board members would be invited as well.

Action: None.

2. Galt Ocean Mile Shuttle

Commissioner Katz reported that she was still having trouble with the County on the idea of a shuttle for the Galt Ocean Mile. She understood staff was scheduling another meeting with County officials but, at the present time, they did not care for the proposed route.

Action: None.

3. Commuter Rail and Beach Preservation Meetings

Commissioner Smith reported that he would be speaking to the Broward League of Cities tomorrow on the benefits of a commuter rail, and he would be attending the Beach Preservation Conference in Captiva next week. He agreed to keep the Commission informed.

Action: None.

4. Sexual Predators

Commissioner Moore was very concerned because there were two sexual predators in a nursing home establishment in Fort Lauderdale. He stated that lists of sexual predators residing in the City could be obtained from the Police Department on request, but he felt the Commission should discuss better publicizing this information within the community. He thought there were measures the Commission might wish to consider to protect the community.

The Police Chief stated that all Broward law enforcement agencies had lists of Sexual Predators and Sexual Offenders residing in their communities. This information was posted on the Police Department web site, and the information had been made known to all of the homeowners' associations in the City. Further, the subject was regularly covered in the Community Policing Initiative newsletter. Nevertheless, he said he would be more than happy to work with the Public Information Office and the local news media about giving this information greater exposure.

Commissioner Moore felt photographs of these predators should be posted in the schools so students and teachers would be aware of the potential danger. He felt a more aggressive stance should be taken, and he was concerned that providers of service to the disabled and elderly were giving space to sexual predators.

The Police Chief noted that there were classifications of "sexual predators" and "sexual offenders," and offender was a lesser degree. He advised that the Police Department met with the elementary, middle, high, and private schools on a regular basis in this regard but, in the end, publication of the material was left to the discretion of the school principals.

Commissioner Moore was concerned that the surrounding neighborhood was not aware of these two sexual predators in this particular case. The Police Chief advised that he could provide a Conference presentation in this regard by the Sexual Assault Unit. Mayor Naugle was also interested in how other communities addressed this issue.

Action: Conference discussion to be scheduled.

V – City Manager Reports

1. Wingate Sanitation Bonds

The City Manager reported that 4 bids had been received today from banks with respect to the Wingate Sanitation Bonds, and the preliminary analysis indicated SunTrust Bank was the apparent "awardee" at a fixed interest rate of 5.074%. Subject to verification, staff would seek approval from the City Commission to move forward with the sale, probably on September 19, 2000. The City Manager felt this had been a "stroke of genius" on the part of the Director of Finance.

Mayor Naugle inquired about the interest rate on the sewer project in Tarpon River. Mr. Greg Kisela, Assistant City Manager, stated that the Treasury rate was used for all special assessment projects. Mayor Naugle hoped staff would attempt to obtain low interest loans on the next project.

Action: None.

Meeting adjourned at 9:33 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.